

Express Mail No. EL948454583US

Date of Deposit: August 26, 2003

**PATENT APPLICATION**  
**Attorney Docket No. 25739-027**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**APPLICANT(S): James M. Leventhal**

**FOR: FLUID DISPENSING DEVICE**

August 26, 2003  
Boston, Massachusetts

MS: PATENT APPLICATION  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR CONTINUATION-IN-PART APPLICATION**  
**PURSUANT TO 37 C.F.R. 1.53(b)**

1. This is a request for filing a:
- ☐ continuation application
  - ☐ divisional application
  - ☒ continuation-in-part application

under 37 C.F.R. 1.53(b) of nonprovisional patent application U.S. Serial No. **10/645,010**, filed on August 21, 2003, entitled **Fluid Dispensing Device**, which claims priority under 35 U.S.C. 119(e) to provisional patent application serial no. 60/405,009 filed August 21, 2002.

2. ☒ Specification ( 32 pages); Claims (7 pages); Cover (1 page); Abstract (1 page)
3. ☒ Drawings - Six (6) Sheets (Figs. 1-8)
- ☐ Formal
  - ☒ Informal
4. ☒ Declaration and Power of Attorney
- ☒ Unsigned
  - ☐ Signed

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Request for Continuation-in-Part Application

5. ☐ Information Disclosure Statement (IDS)
- ☐ PTO-1449 (1 page)
- ☐ Copies of references cited
- ☐ Copies of Supplemental IDS and PTO 1449s (\_\_\_ x \_\_\_ pages)
6. ☒ Please amend the specification by replacing the first sentence with the following:
- This application is a continuation-in-part application under 37 CFR §1.53(b) of U.S. Serial No. 10/645,010, filed on August 21, 2003, which claims priority under 35 U.S.C. 119(e) to provisional patent application serial no. 60/405,009 filed August 21, 2002, all of which are incorporated herein by reference.

7. Fee Calculation

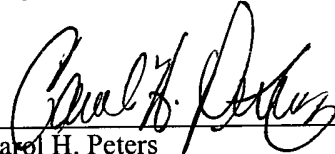
CLAIMS AS FILED					
Claims	Number Filed	Basic Fee Allowance	Number Extra	Rate	Basic Fee 37 C.F.R. 1.16(a) \$750.00
Total Claims (37 C.F.R. 1.16(c))	27	- 20 =	7	\$ 18.00	0
Independent Claims (37 C.F.R. 1.16(b))	3	- 3 =	0	\$ 84.00	
Multiple Dependent Claim(s), if any (37 C.F.R. 1.16(d))				\$280.00	0
Reduction by 50% for filing by small entity:					<u>\$</u>
TOTAL FEE					\$ __.00

- ☐ Amendment canceling extra claims is enclosed.
- ☐ Amendment deleting multiple-dependencies is enclosed.
- ☐ Fee for extra claims is not being paid at this time.
8. ☒ Applicant claims Small Entity Status
- ☐ Fee calculation is based on status of claims after incorporation of enclosed amendment.
9. ☐ A check in the amount of \$ \_\_.00 is enclosed.

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10. ☐ The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 50-0311, Ref. No. 17555-086
- ☐ Fees required under 37 C.F.R. §1.16.  
☐ Fees required under 37 C.F.R. §1.17.  
☐ Fees required under 37 C.F.R. §1.18.
11. ☒ Return Receipt Postcard Enclosed
12. ☐ Other Documents Enclosed
- ☐ Copy of Assignment from prior application (\_\_\_ pages)
- ☒ Nonpublication Request under 37 C.F.R. 122(b)(2)(B)(i)

Respectfully submitted,

  
\_\_\_\_\_  
Carol H. Peters  
Registration No. 45,010  
Attorneys for Applicants  
MINTZ, LEVIN, COHN, FERRIS,  
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Dated: August 26, 2003

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Attorney Docket No. 25739-027

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: James M. Leventhal  
Serial No.: Not yet assigned  
Filing Date: Not yet assigned  
Title: FLUID DISPENSING DEVICE  
Attorney's Docket No.: 25739-027

MS: PATENT APPLICATION

Commissioner for Patents

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TRANSMITTAL LETTER

Sir:

Enclosed herewith for filing in the above-identified Continuation-in-part patent application are the following documents:

- [X] Request for Filing New Continuation-in-Part Patent Application under 37 C.F.R. 1.53(b);
- [X] Patent Application including Specification (32 pages); Claims (7 pages); Cover (1 page) and Abstract (1 page)
- [X] Six (6) Sheets of Informal Drawings - Figs. 1-8; and
- [X] Nonpublication Request under 37 C.F.R. 122(b)(2)(B)(i) e.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at 617/542-6000, Boston, Massachusetts.

Respectfully submitted,



Carol H. Peters

Registration No. 45,010

Attorneys for Applicant

MINTZ, LEVIN, COHN, FERRIS,

GLOVSKY and POPEO, P.C.

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Customer Number 30623

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Applicant: James M. Leventhal

For: **FLUID DISPENSING DEVICE**

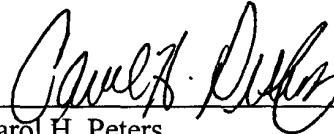
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**NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i)**

I hereby certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

Respectfully submitted,



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